

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,246

IN THE MATTER OF:

Served March 31, 2008

Application of RIDE THE DUCKS)	Case No. AP-2007-231
INTERNATIONAL, LLC, for a)	
Certificate of Authority --)	
Irregular Route Operations)	

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes operating a charter and sightseeing service on land and water using six amphibious vehicles. The Commission has jurisdiction over charter and sightseeing operations on land.¹

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Our approval of this application will be subject to the conditions imposed on all applicants and conditions the Commission has found appropriate in past amphibious-vehicle applications.²

¹ See *In re Thomas B. Howell, t/a Presidential Ducks*, No. AP-00-07, Order No. 5955 (Aug. 10, 2000) (approving "Duck" application); *In re D.C. Ducks, Inc.*, No. AP-94-21, Order No. 4361 (Aug. 9, 1994) (same).

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 1495 shall be issued to Ride The Ducks International, LLC, 2800 W. Highway 76, Branson, MO 65616.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; (f) proof of current safety inspection of said vehicle(s) by the United States Coast Guard; (g) proof of current registration of said vehicle(s) with the United States Coast Guard and DC Harbor Master; (h) a complete copy of all documents submitted to the District of Columbia Public Service Commission under 15 DCMR § 1701, bearing indicia of proper filing; and (i) for each initial driver, a copy of the driver's Commercial Driver's License and a copy of a Certification of Road Test prepared in accordance with 49 CFR § 391.31, showing administration of the test by applicant in applicant's amphibious vehicles.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

² See Order No. 5955 (requiring proof of water licensing and safety); Order No. 4361 (same).